

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**RYAN STUMPHAUZER, in his
Capacity as Court-Appointed Receiver
for EAGLE SIX CONSULTANTS, INC.,
a Florida corporation,**

Plaintiff,

v.

Case No.: 8:21-cv-02307-SDM-AAS

**DANIEL SCARAMELLINO, an
individual,**

Defendant.

_____ /

ORDER

Plaintiff Ryan Stumphauzer, in his capacity as Court-Appointed Receiver for Eagle Six Consultants, Inc., moves for leave to conduct jurisdictional discovery related to Defendant Daniel Scaramellino's citizenship. (Doc. 10). Mr. Scaramellino does not oppose Mr. Stumphauzer's motion, provided Mr. Scaramellino "can also conduct discovery related to the issue of jurisdiction." (Doc. 16).

"While some circuits allow jurisdictional discovery more freely than others, Eleventh Circuit precedent indicates that jurisdictional discovery is highly favored . . ." *Steinberg v. Barclay's Nominees (Branches) Ltd.*, No. 04-60897-CIV, 2007 WL 4287662, at *2 (S.D. Fla. Dec. 5, 2007) (citing *Eaton v.*

Dorchester Dev., Inc., 692 F.2d 727, 731 (11th Cir. 1982); *Majd-Pour v. Georgiana Cmty. Hosp., Inc.*, 724 F.2d 901, 903 (11th Cir. 1984) (“Although the plaintiff bears the burden of proving the court’s jurisdiction, the plaintiff should be given the opportunity to discover facts that would support his allegations of jurisdiction.”). “[If] the jurisdictional question is genuinely in dispute and the court cannot resolve the issue in the early stages of the litigation ... [then] discovery will certainly be useful and may be essential to the revelation of facts necessary to decide the issue.” *Eaton*, 692 F.2d at 729 n.7.

Because the Eleventh Circuit highly favors jurisdictional discovery at this stage in the litigation when there is a genuine question of jurisdiction and because Mr. Scaramellino does not oppose Mr. Stumphauzer’s motion, Mr. Stumphauzer’s motion for leave to conduct jurisdictional discovery (Doc. 14) is **GRANTED**. The parties may conduct discovery narrowly tailored to Mr. Scaramellino’s citizenship for diversity jurisdiction purposes through targeted interrogatories, document requests, requests for admission, and depositions.

ORDERED in Tampa, Florida on May 5, 2022.



AMANDA ARNOLD SANSONE
United States Magistrate Judge